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UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

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APR 1 1974

Sidney Marks
Biomedical Programs, DBER

INVESTIGATION AND DOCUMENTATION REGARDING PATIENTS INJECTED WITH
PLUTONIUM FROM 1945-47

At the Commission Meeting on Monday, March 18, 1974, I reported on the results of our meeting of March 7, 1974, with Dr. Lamont-Havers and Dr. Donald Chalkley regarding the above subject. As a result of the discussions there the following four items were agreed upon to be carried out.

1. I should inform the Director of the Argonne National Laboratory of the AEC position that Argonne must comply with ethical considerations regarding these patients as prescribed by the DHEW guidelines.
 - a. Early disclosure to the patients with due regard to the physician-patient relationship, and
 - b. Immediate referral of the issue of continuation of the studies to the Argonne National Laboratory Institutional Review Committee.
2. I should make immediate contact with appropriate officials of the University of Rochester to inform them of the actions which the AEC was taking to insure compliance with DHEW guidelines.
3. The Chairman would make appropriate contacts with the President of the Institute of Medicine of the National Academy of Sciences with regard to the appointment of a prestigious neutral committee to review the historical aspects of the plutonium injection, and prepare a suitable report for release to the public.
4. That I would institute an AEC investigation to determine the facts of these injections and the subsequent history of events in order that the Commission might have an independent assessment of various factors surrounding this matter.

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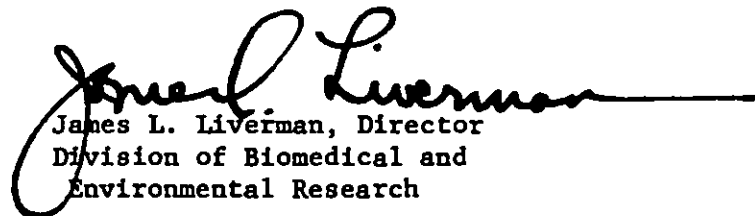
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Sidney Marks

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By this memorandum I am designating you as the DBER individual responsible for carrying out this investigation outlined under Item 4 above by reporting in writing the results of your findings. The attached sheet of suggestions should be considered. Steps 1 and 2 should be carried out at an early date and the protocol for proceeding reviewed with me. This matter should receive your highest priority because of the crucial importance of our becoming completely aware of all matters surrounding the case. This investigation should receive your total attention until it has been completed. If it is necessary to relieve you of other responsibilities or if you need assistance in order to achieve it please indicate such a need through your Program Manager to me.

I personally, with the help of Drs. Burr, Carter and Weyzen, will continue on steps 1, 2 and 3 above.


James L. Liverman, Director
Division of Biomedical and
Environmental Research

Enclosure:
As Stated

cc: Dr. Edington
Dr. Carter

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SUGGESTIONS OF MANNER OF PROCEEDING WITH DBER INVESTIGATION OF PU INJECTIONS

1. Explore relevant procedures with DHEW as warranted.
2. Develop with the OGC, an AEC historian, and the Division of Inspection methodology for conducting the investigation, including record keeping, signed statements, etc., and techniques for interviews with people many years after the events in question.
3. Examine AEC files, especially ACBM reports, for material regarding this issue.
4. Examine ANL files of early reports and case records. These would include all of Pat Durbin's records, which were given to Bob Rowland, and additional information accumulated at ANL.
5. Examine any University of Rochester records that are pertinent and may be made available.
6. Interview at least the following people:
 - a. Dr. Charles Dunham, former Director, DBM; Dr. Shields Warren, former Director, DBM; Hymer Friedell, Louis Hempelmann, Leon Jacobson
 - b. Drs. Stafford Warren, Christine Waterhouse and any other Rochester people involved in an important way, both early and late.
 - c. Physicians involved in U. of Chicago injections.
 - d. U. of California physicians who participated in the original study.
 - e. LASL personnel who participated in Wright Langham's early studies.
 - f. Current Center for Human Radiobiology personnel involved in study such as Drs. Rowland, Brues, Littman, Rundo, Evans.
 - g. Any others of interest whose names appear during the investigation.
7. Prepare complete report.

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8. It must be recognized that a report that records the activities of others must detail AEC action and inaction. Otherwise, AEC will be accused of unjustly pointing the finger.

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